

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-10528-RCL

DENISE M. BARRY and JANE B.
GREEN, et. al.
Plaintiffs,

v.

ROBERT J. MORAN, PAUL A.
CHRISTIAN, WILLIAM
KESSLER, WILLIAM
HITCHCOCK, CITY OF BOSTON
FIRE DEPARTMENT, and JOHN
and/or JANE DOES 1-50.
Defendants.

**JOINT MOTION TO TAKE MARCH 2, 2007 STATUS CONFERENCE
OFF CALENDAR AND TO EXTEND CONDUCT CLASS CERTIFICATION
DISCOVERY DEADLINES**

NOW COME the parties and they respectfully request that the Status Conference currently set for Friday, March 2, 2007 be taken off the Court's calendar until such time as the parties have determined that the Court's intervention is required to resolve discovery disputes. Additionally, the parties move for an extension of time to conduct class certification discovery and an adjustment to the current class action certification schedule. As grounds therefore, the parties state as follows:

1. The deadline for completing class certification discovery is March 15, 2007.
2. The parties have been working cooperatively to prepare the case and resolve various discovery issues, including confidentiality issues surrounding voluminous personnel documents.

3. The parties have actively engaged in discovery on the class certification issue. Written discovery has been exchanged and depositions have been scheduled.
4. However, unavoidable scheduling conflicts have arisen for counsel and the parties rendering completion of the necessary depositions not possible by the March 15, 2007 class certification discovery deadline.
5. Accordingly, the parties request a forty-five (45) day extension for completion of class action certification discovery and respectfully request that the Court set the deadline for class action certification to April 30, 2007.
6. Additionally, the parties request that the other class action certification deadlines be adjusted and they propose the following schedule:

| | |
|---|-----------|
| Class discovery deadline | 4/30/2007 |
| Motion for class certification due by | 5/21/2007 |
| Response to motion for class certification due by | 6/11/07 |
7. In the event that the parties are able to complete class certification discovery before April 30, 2007, the parties will advise the Court and expedite the class certification motion process.
8. Allowing this motion will not prejudice any party to the action and permitting the parties to complete class certification discovery will further the interests of justice.

WHEREFORE, the parties respectfully request that this Honorable Court allow their motion to extend time to conduct class certification discovery.

Respectfully submitted,

PLAINTIFFS DENISE M. BARRY and
JANE B. GREEN, et. al.

DEFENDANTS WILLIAM KESSLER,
WILLIAM HITCHCOCK, et. al.

William F. Sinnott
Corporation Counsel

By their attorney:

By their attorney:

/s/ Thomas F. Feeney

/s/ Helen G. Litsas

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CERTIFICATE OF SERVICE

I hereby certify that on this day, a copy of this document was served upon all counsel of record via Electronic Filing.

2/28/07
Date: _____

/s/ Helen G. Litsas

Helen G. Litsas, Esq.